

## **Attachment 1**

### **Proposed Density Bonus Ordinance Conceptual Framework**

# **Proposed Density Bonus Ordinance: Conceptual Framework** Los Angeles County Department of Regional Planning

## **I. Technical changes to Title 21 and Title 22 for consistency with State law**

1. Non-substantive change to Title 21
2. Modification to definition of “Income, Moderate” in Title 22
3. Changes to R-Zones, A-Zones and C-Zones for consistency with new procedures
4. Changes to administrative sections related to CSD’s, specific plans and parking (Part 11 of Chapter 22.52) for consistency with new procedures

## **II. Program Description and Eligibility Requirements—*Density Bonuses and Affordable Housing Incentives***

1. Purpose, applicability and exceptions (including vesting provision)
2. Definitions: affordable housing cost; affordable rent; affordable housing units; child care facility; common interest development; housing development; incentive; major bus route; mass transit station; restricted affordable unit; senior citizen; senior citizen housing development; and waiver or modification to development standards
3. Density Bonuses

Qualifying Projects	Minimum Set-Aside	Density Bonus		
		Basic	Additional (%)	Maximum
Very Low	5%	20%	1:2.5	35%*
Lower	10%	20%	1:1.5	35%*
Moderate (for-sale only)	10%	5%	1:1	35%*
Senior Citizen Housing Development	—	20%	—	20%
Mobilehome Park for Senior Citizens	—	20%	—	20%
Land Donation	10% (Very Low)	15%	1:1	35%

\* When a qualifying housing development includes a child care facility, the applicant shall receive either an additional bonus in an amount of square feet of residential floor area equal to the amount of square feet in the child care facility that significantly contributes to the economic feasibility of constructing the child care facility, or an additional incentive (see next page).

- Los Angeles County Community Development Commission (CDC) Infill Sites Program Density Bonus: Housing developments of two or three units shall be granted a density bonus of one additional unit.

#### 4. Incentives

- Number of incentives

Qualifying Projects	Incentives		
	One*	Two*	Three*
Very Low	5%	10%	15%
Lower	10%	20%	30%
Moderate (for sale only)	10%	20%	30%
Senior Citizen Housing Development	—	—	—
Land Donation	—	—	—

\* When a qualifying housing development includes a child care facility, the applicant shall receive either one additional incentive that significantly contributes to the economic feasibility of constructing the child care facility, or a square footage bonus (see above).

- Parking reduction (by-right)

Parking Reduction (By-right)*	
Unit Size	Parking Spaces
0-1 bedroom	1 space
2-3 bedrooms	2 spaces
4 or more bedrooms	2.5 spaces

\* Parking may be provided by tandem parking or uncovered parking, but not onstreet parking. Parking is inclusive of guest and accessible parking spaces.

- On-menu incentives

Incentive*	Description
Yard/Setback	Up to a 20% modification from side yard/setback requirements. Up to a 35% modification of front and rear yard/setback requirements. Each modification counts as one incentive.
Building Height	Up to a 10ft. increase in height. For every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be set back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the “stepped-back” portion up to 42 inches in height.
Stories	An additional story. The building height must conform to either the height requirements of the basic zone or as modified through an on-menu incentive.
Lot Size	Up to 20% modification from lot size requirements. Up to 35% modification from lot size requirements for housing developments in which 100% of the units are set aside for very low or lower income households.
Lot Width	Up to 20% modification from lot width requirements. Up to 35% modification from lot width requirements for housing developments in which 100% of the units are set aside for very low or lower income households.
Parking	For housing developments in which 100% of the units are set aside for very low and lower income households and at or within a 1,500 ft. radius of an existing or major bus center, bus stop along a major bus route defined as bus route with a frequency of service interval of 15 minutes or less during the morning or afternoon peak commute periods, or a fully funded mass transit station, the following parking rates shall apply: <p style="margin-left: 40px;">Single-family dwelling units  Any # of bedrooms: 1.0 parking space/unit  Multi-family dwelling units  0 – 1 bedroom: 0.75 parking space/unit  2 or more bedrooms: 1.5 parking spaces/unit</p> Parking may be provided by tandem parking or uncovered parking, but not onstreet parking. Parking is inclusive of guest and accessible parking spaces.
Density	Up to a 50% density bonus for housing developments in which 100% of the units are set aside for very low or lower income households.
Fee Waiver	For housing developments in which 100% of the units are set aside for very low or lower income households, for-profit developers are exemption from planning and zoning fees, not including CDC evaluation and monitoring fees or deposits, required by Section 22.60.100. (Note: Non-profit developers are already eligible for exemptions from County review fees when projects are formally sponsored by the CDC, and the non-profit fee exemption does not require the use of an incentive.)

\* Project prerequisites: The project must be a qualified affordable housing development. To be eligible for on-menu incentives, the housing development must be outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 of the LA County Code; within an area that is served by a public sewer system; within an area that is served by a public water system; not within a significant ecological area, as defined in Section 22.08.190 of the LA County Code; not within an environmentally sensitive habitat area, as shown on the sensitive environmental resources map of the Malibu Land Use Plan; and not on land having a natural slope of 25% or more. Where other discretionary approvals (ie., Plan Amendment, Zone Change, Coastal Development Permit, Conditional Use Permit, etc.) are required to regulate land use, this menu is advisory only.

- Off-menu incentives
  - Incentives not listed on the menu (see above)
- Los Angeles County Community Development Commission (CDC) Infill Sites Program on-menu incentives:

Incentive	Description
Yard/Setback	Up to a 20% modification from side yard/setback requirements. Up to a 35% modification of front and rear yard/setback requirements. Each modification counts as one incentive. In the case of a common-wall development, 100% reduction where common-walls are at or intersect common/shared lot line within the project site.
Building Height	Up to a 10ft. increase in height. For every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be set back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the “stepped-back” portion up to 42 inches in height.
Stories	An additional story. The building height must conform to either the height requirements of the basic zone or as modified through an on-menu incentive.
Lot Size	Up to 50% modification from lot size requirements.
Lot Width	Up to 50% modification from lot width requirements.
Parking	For housing developments at or within a 1,500 ft. radius of an existing or major bus center, bus stop along a major bus route defined as bus route with a frequency of service interval of 15 minutes or less during the morning or afternoon peak commute periods, or a fully funded mass transit station, the following parking rates shall apply: Single-family dwelling units Any # of bedrooms: 1.0 parking space/unit Multi-family dwelling units 0 – 3 bedrooms: 1.0 parking space/unit 4 or more bedrooms: 1.5 parking spaces/unit Parking may be provided by tandem parking or uncovered parking, but not onstreet parking. Parking is inclusive of guest and accessible parking spaces.

- CDC Infill Sites Program off-menu incentives
    - Incentives not listed on the CDC Infill Sites Program menu of incentives (see above)
5. Waiver or modification of development standards
  6. Senior citizen housing option
  7. Affordable housing option

### **III. Program Implementation and Procedures—*Housing Permits***

1. Housing permit
  - Purpose
  - General application provisions
  - Covenant and agreement
  - Monitoring
  - Zone and CSD standards apply, unless modified
2. Administrative housing permit
  - Administrative/ministerial process, no public hearing, exempt from CEQA
    - Findings for incentives: affordability; impacts on public health, safety, physical environment; historic places
  - On-menu incentives
    - Types of requests: density bonus; by-right parking reduction; on-menu incentive, CDC infill density bonus, CDC infill on-menu incentive
    - Notification of action: applicant
    - Effective date: 15 days, unless appealed
    - Appeal to RPC: applicant
      - RPC decision on appeal is final
  - Off-menu
    - Types of requests: off-menu incentive; CDC infill off-menu incentive
    - Notification of action: applicant, RPC, adjacent property owners and community groups
    - Effective date: 15 days, unless appealed
    - Appeal: applicant or call for review RPC
      - RPC decision on appeal is final
      - 90-day time limit
3. Discretionary housing permit
  - Discretionary process, public hearing, CEQA
    - Types of requests: waivers or modifications to development standards; senior citizen housing option; affordable housing option
    - Burden of proof: general provisions; waivers or modifications to development standards, senior citizen housing option, affordable housing option
  - Procedures
    - Notice of public hearing: 500 foot radius from site, or greater if required by the specific area
    - Notification of action: applicant and testifiers
    - Effective date: 15 days
    - Appeal: applicant or any interested person dissatisfied with the action
      - Can be appealed to RPC or called up for review by Board of Supervisors

#### **IV. Fees**

1. Housing permit fees
  - Housing Permit, Administrative, for Density Bonuses and On-Menu Incentives — \$ 881.
  - Housing Permit, Administrative, for Density Bonuses and Off-Menu Incentives or Concessions — \$ 1,270.
  - Housing Permit, Discretionary — \$ 3,035.
2. CDC housing permit evaluation and monitoring fee deposits
3. Changes to fee waiver section in Title 22 to apply to profit-developers, if requested as an incentive (Note: Non-profit developers are already eligible for exemptions from County review fees when projects are formally sponsored by the CDC, and the non-profit fee exemption does not require the use of an incentive.)

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Date: February 9, 2006 